

ASSEMBLY BILL

No. 2497

Introduced by Assembly Member Laird

February 23, 2006

An act to amend Section 710.5 of the Fish and Game Code, relating to fish and game.

LEGISLATIVE COUNSEL'S DIGEST

AB 2497, as introduced, Laird. Department of Fish and Game: funding.

Existing law establishes the Department of Fish and Game in the Resources Agency. Existing law expresses legislative findings and declarations that the department continues to not be properly funded, and that the department has been largely supported by fees paid by those who utilize the resources held in trust by the department. Existing law states the intent of the Legislature that, to the extent feasible, the department should continue to be funded by user fees, but that the user fees should more accurately reflect all costs of the department associated with the resources. Existing law states, as part of this intent, that all fees collected by the department are user fees, as specified, and that, to the extent that the fees are appropriated through the Budget Act for the purposes for which they were collected to provide services to people of the state, those user fees are not subject to Article XIII B of the California Constitution.

This bill would modify that legislative intent language to instead declare that the department should be funded by user fees for programs that directly benefit user groups, and that programs that are of broad public benefit should be paid out of the General Fund.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Section 710.5 of the Fish and Game Code is amended to read:

710.5. (a) The Legislature finds and declares that the department continues to not be properly funded. While revenues have been declining, the department's responsibilities have been expanding into numerous new areas. The existing limitations on the expenditure of department revenues have resulted in its inability to effectively provide all of the programs and activities required under this code and to manage the wildlife resources held in trust by the department for the people of the state.

(b) The Legislature further finds and declares that *in the past*, the department has been largely supported by fees paid by those who utilize the resources held in trust by the department. ~~It~~

(c) ~~It is the intent of the Legislature that, to the extent feasible, in the future, the department should continue to be funded by user fees for programs that directly benefit user groups, and that programs that are of broad public benefit should be paid out of the General Fund. However, user fees should more accurately reflect all costs of the department associated with these resources. All fees collected by the department, including, but not limited to, recreational hunting and fishing licenses, commercial permits and entitlements, and other fees for use of the resources regulated or managed by the department, are user fees. To the extent that these fees are appropriated through the Budget Act for the purposes for which they are collected to provide services to the people of the State of California, these user fees are not subject to Article XIII B of the California Constitution.~~